

CAUSE NO. 05CV0337

MIGUEL ARENAZAS AND	§	IN THE DISTRICT COURT OF
ELIZABETH RAMON .	§	
	§	
VS.	§	GALVESTON COUNTY, T E X A
	§	
BP AMOCO CHEMICAL COMPANY,	§	
BP AMOCO POLYMERS, INC., BP	§	
CORPORATION NORTH AMERICA, INC.,	§	
BP PRODUCTS NORTH AMERICA INC.,	§	
DON PARUS, and J.E. MERIT CONTRACTORS,	§	
INC.	§	212TH JUDICIAL DISTRICT

**CONSOLIDATED WITH**

**CAUSE NO. 05CV0347**

IN RE: THE APPLICATION OF	§	IN THE DISTRICT COURT OF
SANDRA THOMAS, ET AL	§	
	§	GALVESTON COUNTY, TEXAS
	§	
	§	212 <sup>TH</sup> JUDICIAL DISTRICT

**ORDER ON PLAINTIFFS' CONSOLIDATED EMERGENCY MOTIONS  
TO SHORTEN TIME FOR BP DEFENDANTS TO RESPOND  
AND PRODUCE DOCUMENTS**

ON THIS THE 4<sup>th</sup> day of April, 2005, came on to be considered, Plaintiffs' Emergency Motion to Shorten Time for Defendants to Respond and Produce Documents and, the Court, after reviewing the Motion and pleadings on file, and hearing the arguments of counsel, finds that Plaintiffs' Emergency Motion is partially granted, partially denied and some matters have been agreed to by counsel. Accordingly the following Order is entered:

ORDERED that Plaintiffs' Emergency Motion to Shorten Time for BP Defendants, to answer Plaintiffs' discovery is GRANTED, in part, as follows:

BP Defendants' are ordered to produce the following documents and/or information (where specified) by Monday, April 11, 2005:

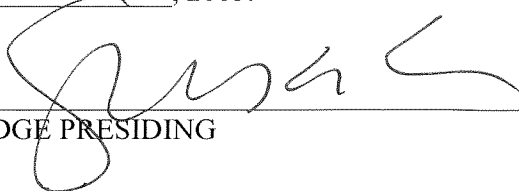
1. The identity of the persons operating the unit in which the explosion occurred and all contractors present at the site on March 23, 2005;
2. The startup procedures for the isomerization unit;
3. One full set of the piping and instrument drawings for the isomerization unit as it existed on the date of the explosion;
4. Records gathered by the investigation team recording the operating conditions in the unit beginning with the startup procedure which was underway, until five minutes after the explosion on March 23, 2005; including, but not limited to, the computer records from the control room that monitors the unit and its gauges; all computer records will be produced within one week of recovery of data, together with the information necessary to access the data;
5. Any memos or reports of the investigation which have been prepared by the BP investigation team or any of its members are ordered to be preserved until further order of the court;
6. A color copy of the aerial photograph with orange markings brought to court by BP's counsel on Tuesday, March 29, 2005, which document the area of the plant which BP has delineated as the "site"; and
7. A complete copy of all versions of the handwritten log sheets, any work orders and work and safety permits pertaining to the isomerization unit for the 48 hours preceding the subject explosion.

IT IS ORDERED that the Parties will exchange photographs and witness statements biweekly, with the first exchange beginning April 11, 2005 and continuing thereafter biweekly. Any witness statements from Pace Union members will be submitted by April 11, 2005 and, thereafter, any further witness statements will be produced within one (1) week of their taking, to the union's counsel, Burwell, Burwell & Nebout, L.L.P. for determination as to whether there will be an objection to further dissemination to Plaintiffs' attorneys. If there is no such objection, union counsel will produce the statements to Plaintiffs' counsel. If there is objection to such

production, then union's counsel will submit the statements to the court *en camera* for the court's further orders.

IT IS FURTHER ORDERED that Defendants notify Plaintiffs by Wednesday, April 15, 2005, as to how long it will take to determine the names of all contractors who were in the isomerization unit within the thirty (30) days prior to the explosion.

SIGNED this 4 day of April, 2005.

  
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JUDGE PRESIDING